



## **INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 337-TA-904]**

### **Certain Acousto-Magnetic Electronic Article Surveillance Systems, Components Thereof, and Products Containing Same**

#### **Institution of investigation pursuant to 19 U.S.C. 1337**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on December 11, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Tyco Fire & Security GmbH of Switzerland; Sensormatic Electronics, LLC of Boca Raton, Florida; and Tyco Integrated Security, LLC of Boca Raton, Florida. A letter supplementing the complaint was filed on December 23, 2013. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain acousto-magnetic electronic article surveillance systems, components thereof, and products containing same by reason of infringement of U.S. Patent No. 5,729,200 (“the ‘200 patent”) and U.S. Patent No. 6,181,245 (“the ‘245 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a general exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington,

D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2013).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on January 9, 2014, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain acousto-magnetic electronic article surveillance systems, components thereof, and products containing same by reason of infringement of one or more of claims 1-4, 6, 7, and 20-25 of the '200 patent and claims 1-5 of the '245 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Tyco Fire & Security GmbH

Victor von Bruns-Strasse 21

Neuhausen am Rheinfall 8212

Switzerland

Sensormatic Electronics, LLC

6600 Congress Avenue

Boca Raton, FL 33487

Tyco Integrated Security, LLC

1501 Yamato Road

Boca Raton, Florida 33487

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Ningbo Signatronic Technologies, Ltd.

505 MingZhou Road (West)

BeiLun District

Ningbo, China 315800

All-Tag Security Americas, Inc.

1155 Broken Sound Parkway, NW, Unit E

Arvida Park of Commerce

Boca Raton, FL 33487

All-Tag Security Hong Kong Co., Ltd.

Unit 1211, 12/F, Tsuen Wan Industrial Centre

220-248 Texaco Road, Tsuen Wan N.T.

Hong Kong

All-Tag Europe SPRL

Chaussée d'Alsemberg

999 Boite 14

1180 Brussels

Belgium

All-Tag Security UK, Ltd.

Unit 3 Bamford Business Park, Hibbert Street

Stockport SK4 1PL Cheshire

United Kingdom

Best Security Industries

755 NW 17<sup>th</sup> Avenue Suite 101

Delray Beach, FL 33445

Signatronic Corporation

1155 Broken Sound Parkway NW Unit E

Boca Raton, FL 33487

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: January 9, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

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